Teacher Loyalty Defended in Congress, P. 2

The Berlin Problem Is Political, Not Military—More Money for Arms Won't Solve It, See Page 4

I. F. Stone's Weekly

VOL. VII, NO. 11 MARCH 16, 1959 WASHINGTON, D. C. 15 CENTS

Are We Interested Only In Defending Freedom Abroad?

We are so concerned over the preservation of freedom in West Berlin that we would risk a world war rather than accept a change in its status. In what does this freedom consist? In the right to speak freely and to be secure from fear of the police. Were the Communists to engulf Berlin, this freedom would be extinguished. To save it, we would fight. So highly do we prize freedom, at least at a distance.

The uproar in Congress over Berlin contrasts with the indifference when freedom is threatened at home. What are the symbols and safeguards of our own freedom? One is the Bill of Rights. The other is the Supreme Court. Both are under attack in Congress yet no one talks of mobilizing in their defense. When Senator Eastland attacked the Supreme Court and introduced seven bills to circumvent recent decisions, a few meagre words of protest from two Senators (Kuchel of California and Clark of Pennsylvania) were all it elicited. When freedom is threatened in Berlin, we get ready to march. When it is threatened at home, we get ready to run.

Many Bills But One Feature in Common

A bewildering variety of bills have been introduced by critics of the Court. But all have one feature in common. They would increase the power of the State at the expense of the rights of the individual. They move, in other words, exactly in the direction we are supposed to be combatting abroad. Here it is said we are merely trying to restrict the activities and movements of persons suspected of being Communist. But *there* it is said they are only trying to restrict the liberties of persons suspected of being anti-Communist. Each side is, in this respect, the mirror image of the other.

The truth is that though the repressionists on each side hate each other fiercely, their mentality and philosophy are identical. The mentality sees little men plotting everywhere. The philosophy is that the safety of the State must take precedence over justice to the individual. The repressionists on both sides make any criticism of the existing order unhealthy. "Revisionism" is a bogeyman word on their side, while here the Eastland-Walter crowd would make life hazardous for any non-conformist. The police state is the result there. It could be the result here.

The standards of the witch hunt are the same everywhere. The American Bar Association committee report criticizing the Supreme Court, which Eastland read into the Congressional Record, expresses horror over the disbarment of lawyers in Communist Hungary because "they were deemed to lack approved political qualifications." But the ABA report approvingly echoes recent Un-American Activities Committee recommendations that lawyers suspected of being you-know-what be disbarred on the same grounds here.

Both Sides Use Faceless Informers

The notion that Communists have no rights endangers everyone's liberties here, just as the notion that anti or non-Communists have no rights poisons the atmosphere for everybody there. The fact that a Supreme Court decision helped Communists does not mean that it may not have helped non-Communists, too. Example: thanks to due process and the Jencks rule, the prolonged hearings on the Communist Party before the Subversive Activities Control Board have exposed half a dozen notorious FBI informers as unreliable if not downright prejurious or cracked. The testimony of such witnesses has been allowed to shadow the good name of many innocent persons in loyalty-security hearings. Much of the Eastland anti-Supreme Court program is designed to perpetuate the use of such informers in determining the right to travel and the right to work in government or defense industry *without giving accused persons the right to confront and cross-examine them.* The faceless informer is a pillar of the police state everywhere.

Many of the same men who talk self-righteously about the Iron Curtain are ready to support the new bill (S1303) which Eastland introduced to legalize the arbitrary travel restrictions initiated under Acheson and expanded under Dulles. The bill picks up verbatim our own State Department's travel bars, as held invalid by the Supreme Court last year. It would forbid passports not only to persons suspected of helping Communist causes but also to anyone—no matter how orthodox his politics—when the Secretary of State "is not satisfied that such person's trip or such person's activities abroad would not . . . be prejudicial to the orderly conduct of foreign relations." Such are the standards Moscow applies, too—it does not allow critics of government policy to travel.

Why They Resent the Mallory Decision

In the same way, men (like Senator Keating of New York) ready to make war to protect the people of West Berlin from arbitrary police practices attack the Supreme Court because it held in the Mallory case that a confession was invalid if obtained by holding a prisoner incommunicado instead of speedily arraigning him before a magistrate. In this case of a poor Negro accused of rape, the smoke-screen of Communism was absent. The choice was between constitutional rights and the convenience of the cops.

Anti Supreme Court legislation failed last year by only one vote in the Senate. It might pass this year. The very hysteria about danger to freedom in Berlin makes it easier to undermine freedom at home. It's easier to run with the pack and call for more troops in Germany than to stand up and challenge the enemies of freedom at home.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

For the First Time in Years Liberals Fighting Back on Civil Liberties Issue

Oregon Congresswoman, Herself A Teacher, Attacks School Loyalty Oaths

For the first time in many years, the House is seeing a fight-back by liberals on a civil liberties issue. On March 5, John V. Lindsay, the spunky young Republican who was elected last Fall from New York's 17th District (which includes Greenwich Village), delivered a speech against the loyalty oath provisions of the National Education Act and made public a letter on the subject by Yale's President, A. Whitney Griswold (see box below).

Then last Monday, March 9, a more extended attack on the loyalty oath was made by Mrs. Edith Green, of Portland, Oregon, a progressive third term Democrat and a member of the Education and Labor Committee which will decide the fate of the five oath repeal bills so far introduced.

Speaking against the background of 14 years as a schoolteacher, Mrs. Green said the education loyalty oath "seems to affirm the contention that was raised in an earlier fit of national hysteria, that teachers are somehow especially sensitive to the blandishments of Communism."

Are Brains Still Suspect?

Mrs. Green said this was not only false but "especially incongruous when attached to a bill which was made possible by the belated realization that our brain power is the best defense we have against external enemies, and that the cultivation and furthering of scholarship is at least as necessary a contribution to our national security as is drafting young men to learn close-order drill."

The Oregon Congresswoman cited that provision of the Constitution which says "no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States."

The Framers, Mrs. Green told the House, "hated and despised the only test oaths with which they were familiar in the age of autocracy in which they lived. That age was an age of intolerance in the religious field, and the religious orthodoxies which European nations established were a part and parcel of the political structure of the nations involved."

"The test oaths," Mrs. Green continued, "were designed to eliminate from public life not only adherents of other religions than the locally approved one, but adherents of the tenets of toleration. The Founding Fathers knew bitterly the lessons which they thought humanity had learned during the age of religious wars, and they were determined that no such nonsense would plague the country they had founded."

"It has remained for our time," Mrs. Green added, "to revive the principle of the test oath, not attaching it to religion, but to patriotism; an equally sacred emotion, and one which, like religion, is too fine an expression of man's highest aspirations to be made a vehicle for the fears of the insecure."

Mrs. Green praised the seven colleges—Reed, Bryn Mawr, Swarthmore, Oberlin, Haverford, Wilmington (Ohio), and Goucher—which have refused to participate in the National Defense Education Act as long as the special loyalty oath is required of participants. The Oregon Congresswoman went on, in a burst of satirical humor rare in the rather dull House, to suggest that either special educational loyalty oaths should be abolished or loyalty oaths should be required also of "bankers, dentists, hod carriers and farmers."

This unusual speech deserves study in its full text (Congressional Record, March 9). It is important to press for public hearings in both Houses. Repeal of the loyalty oath would be the first Congressional victory over the witch hunt mentality, and help to cleanse the atmosphere.

Oath Repealers in House and Senate

Five bills in the House, one in the Senate, would repeal the loyalty oath tacked on to the Education Act last year by Mundt (R. S. Dak.). The Senate bill is S 819 by Kennedy (D. Mass.) and Clark (D. Pa.).

The House repealers are HR 4066 by Green (D. Ore.), HR 5315 by Lindsay (R. N. Y.), HR 2437 by Roosevelt (D. Cal.), HR 2332 by Frelinghuysen (R. N. J.), and HR 284 by Thompson (D. N. J.), the last an omnibus bill for 20,000 National Defense scholarships containing an oath repeal provision. All the repealers are virtually identical.

Yale's President Quotes "Dr. Zhivago" in Arguing Against Education Oaths

Hon. Arthur S. Flemming,
Secretary, Dept. Health, Education, Welfare.

Dear Mr. Secretary: May I commend your statement as reported by the Associated Press on December 15 concerning the affidavit and oath required by the National Defense Education Act of 1958?

There are four main reasons why those of us who participate in the educational process, whether as students or teachers, dislike such measures. . . . The first reason is that we recall many instances in the long history of the educational process in which it has been distorted and disrupted by forces operating under the shelter of test oaths. . . .

In the second place, as you yourself have pointed out, it is hard to understand why anyone should believe such oaths to be efficacious as public safeguard. . . .

Thirdly, it is our conviction that belief cannot be coerced or compelled. On this principle the Russian novelist, Boris Pasternak, whose treatment by his own government with respect to the Nobel Prize has been the object of indignant protest in the United States, has recently spoken eloquently in his novel, "Dr. Zhivago":

"I think that if the beast in man could be held down by threats—any kind of threat, whether of jail or of retribution after death—then the highest emblem of humanity would be the lion tamer in the circus with his whip, not the prophet who sacrificed himself. But don't you see this is just the point—what has for centuries raised man above the beast is not the cudgel but an inward music; the irresistable power of unarmed truth, the powerful attraction of its example."

Thus we feel—and we think the overwhelming majority of those who have ever had any experience in teaching students of any age will agree with us — that belief in the rightness of our cause which assumes the positive form of loyalty . . . "can only be won by the powerful attraction of unarmed truth." . . . It cannot be assured by oaths exacted in advance. . . .

Finally, oaths and affidavits of this sort are especially distasteful when they are required of young people. . . . They seem to represent a lack of confidence in these young people as well as in the educational process itself. . . .

—A. Whitney Griswold, President, Yale University.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

How the Housing Bill Was Jammed Through Before Its Critics Could Attack

Proxmire's 2nd: No Real Policy Committee, Either, in Johnson's Realm

In the Senate last Monday, March 9, Senator William Proxmire (*D. Wis.*) delivered the second in a series of what promise to be historic speeches. The first on February 23 dealt with the failure of Majority Leader Lyndon Johnson to call caucuses in which Democratic Senators could discuss their party program and determine legislative strategy. The new speech set out to show that Johnson ignores not only the device of the caucus but also the Senate Democratic Policy Committee. Then, as an example of the helter-skelter way legislation is put through the Senate by Johnson, Proxmire discussed the velocity with which the Housing bill went through committee and passage earlier this session.

Senator Proxmire said that some 13 years ago a Joint Committee on the Organization of Congress held hearings with a view to providing a framework "within which the policies of our parties could be determined." He said there was "no visible similarity" between the purposes of the Policy Committee, as set forth in the report of that Joint Committee, and the way the Democratic Policy Committee operates today. The report (March 4, 1946) recommended that the Policy Committees be freshly chosen at each session, that they formulate party policy, that they meet frequently to expedite pledged legislation, and that they keep formal records of their proceedings "available to the public as a means of holding both the party and the individual accountable."

Testimony by A Johnson Admirer

Senator Proxmire called attention to two scholarly studies by an admirer of Lyndon Johnson, Professor Hugh Bone of the University of Washington (in the June 1956 *American Political Science Review* and in a 1958 publication, "Party Committees and National Politics"). Professor Bone concluded that the policy committees have never functioned as they were intended to function. Senator Proxmire said the "service and research" facilities of the Democratic Policy Committee were available only to the Majority Leader, that its "education" function was limited to providing vote cards after roll call votes and as for "legislative scheduling," Bone's studies showed little of this "in the real sense of the word."

Proxmire said Bone found that so-called Policy Committee meetings were no more than private meetings of the more powerful Democratic Senators and that "no reports of any kind are made to other Democratic Senators." Proxmire quoted Bone's conclusion, "Chairman Lyndon Johnson more than his predecessors has perceived (sic) the Policy Committee as a strategic device and weapon. The Committee is used to set up issues in a way that will permit a maximum number of Democrats to go along with the position of the leadership." Proxmire added that it was Johnson not the Policy Committee who determines "what in his judgment is possible in the Senate."

Lyndon Does the Calculating

"The cold fact is that Democratic policy in the Senate is made entirely on an ad-lib, off-the-cuff basis. The initiative as well as the final decision is almost always resolved by the Majority Leader himself on the basis of his own judgment of what is desirable and what is possible.

"This is not to say that the individual Democratic Senator doesn't play a part in determining policy. His individual vote and whatever influence he may have that goes beyond his individual vote is a factor in the Majority Leader's calculus. But it is the Majority Leader who does the computing of the possible."

—Proxmire's 2d Senate speech on Johnson, March 9.

How the Housing Bill Whizzed Past

On the housing bill, S57, Senator Proxmire said that though a member of the Banking and Currency Committee which was in charge of the bill, "I was never informed, and I am still not informed, on the methods and procedures by which this year's Senate bill was handled by the majority leadership." Proxmire said he had no criticism of committee procedures or of the committee chairman, Sparkman of Alabama, "but I still remember vividly the atmosphere of haste that permeated the Committee's deliberations . . . and again in rushing the bill to the Senate floor for debate two days after the Committee completed its work on the bill, even though five out of the 15 members needed time for stating their separate views."

Senator Proxmire said, "It was like being in a railroad station, being assured by the station master that the train will stop at the station to take on passengers, while right in front of your eyes you see the train barrelling by." Proxmire said that when the bill came to the floor, Lausche of Ohio and Clark of Pennsylvania both objected to the haste. He declared the Senate was nevertheless called into session next morning at 11 a. m. and kept in session until 7:16 p. m. and the next day from 11 a. m. until the bill "flashed through and passed" at 10:35 p. m. Proxmire said that except for the passage of the airports bill next day, a full month passed in which "not a single significant legislative matter came before this body." The housing bill is still before the House "so that literally nothing," Proxmire said, "was accomplished by this haste," *except of course that the leadership pushed its bill through so fast that critics did not have time to make the country aware of its shortcomings.*

Two Veteran Reporters (One Liberal, One Rightist) Quoted in Agreement by Proxmire

"Public controversy is bad—bad for the party and bad for the country. That is the heart of the Johnson conviction. You have to work things out in the cloakroom and then when you've got them worked out, you can debate a little before you vote. In the politics of manipulation and maneuver, Johnson has proved once again he is a master. But this ignores the content, the substance, of political give and take. It draws off the fight, the conviction, the zeal."

—Marquis Childs, Washington Post, January 16.

"Lyndon Johnson . . . has elevated the unanimous vote to a legislative ideal. Under his leadership a system of backstage bargaining for votes . . . means brief and perfunctory debate; a lack of intelligent questioning; sparse attendance; the absence of quorum calls . . . the omission of record roll calls without which the public can never know which Senators were present and how they voted; the approval of legislation in obvious ignorance of its meaning."

—Willard Edwards (Chi. Trib) in Nat'l Review, Jan. 17.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Problem Is Not Military and Will Not Be Solved by A Bigger Defense Budget

The Uproar Over Berlin Here in Washington Grows Ever Sillier

Washington is working itself up into an ever sillier state on the Berlin crisis. It can hardly go to war on the issue of whether West Berlin is to guarded by 3-power or 4-power troops, or whether access permits are to be stamped by East German Communists or Russians.

The Russians have a powerful card up their sleeve. They can make a separate peace with East Germany and pull out of East Berlin, instructing the East Germans to behave themselves and cause our troops no trouble. Then East Germans will be stamping military passes, as they already stamp the passes for the much heavier civilian traffic. What do we do then? Declare war?

What the Russians want to do is to solidify the status quo in Eastern Europe. The East German regime wants greater recognition, not trouble. So long as we let them stamp the passes, we accord them a certain amount of recognition. We may be sure they will be very "correct."

What the West Berliners Fear

The real causes of alarm are political. Such a prospect would deepen the division of Germany. The West German government would like to keep the situation fluid until it can get reunification on its own terms. The West Berliners, the orphans in this storm, fear that in a divided Germany their long range future is insecure, either because the U. S. will get tired of the whole situation one of these days and go home or because as the East German regime grows stronger it will begin to tighten controls around West Berlin in small ways difficult to resist.

This is not a military problem. It arises from the geographical position of Berlin. Nothing could be more absurd than the current uproar in Congress linking the Berlin crisis with the defense budget. A larger defense budget would solve the problem only if it gave us so big an airlift we could pick up West Berlin and transplant it to a safer spot.

Vaster defense expenditures, enabling us in a few years time to threaten to destroy all Russia three or four different ways (instead of only one or two ways, as now) will not make a difference in the current situation. This is where Eisenhower's calm reflects more sense than Acheson's hysteria.

If big weapons were the solution, we have enough now to threaten to bomb the Kremlin unless Khrushchev positively promises not to withdraw Russian troops from East Berlin. As for small, "clean" weapons, there is no way to fight a limited nuclear war in the heart of Europe.

The Two Bones of Contention

A separate peace with East Germany holds out advantages for Germany's eastern neighbors. It means acceptance of the Oder-Neisse line, which would at once be called in question by a reunified Germany. It offers a buffer between them and a nuclear rearmed Germany in NATO.

Either we make some concessions on these two points, or we see the status quo harden. We cannot have it both ways. *We won't even be given a good excuse to fight.*

For years our diplomacy has grown rusty while we met every problem by flexing our military muscles. Now we are up against one which can only be solved by negotiation. This is really what has everybody so upset.

Book Corner

A Room in Moscow, by Sally Belfrage (Reynal: $3.50). As good as a trip to the Soviet Union, a fresh, human chronicle free from party line cant or bias.

Rededication to Freedom, by Benjamin Ginzburg (Simon & Schuster: $3.50). A brilliant attack on the security-loyalty mania and a defense of freedom in classic terms, written with style and passion by the former research director for the Senate Subcommittee on Constitutional Rights (Hennings).

Island in the Sun: The World of Spanish Harlem, by Dan Wakefield (Houghton-Mifflin: $4). The Puerto Ricans are the newest and most unfairly treated of our immigrants. This is vivid reportage by a promising young writer who lived among them.

The Great Decision, by Michael Amrine (Putnam: $3.95). A conscientious and engrossing effort to reconstruct the secret history of the fateful decision to drop the A-bomb on human beings at Hiroshima, including the doubts and discussions among the scientists.

We'll Send A Free Sample Copy to A Friend If You Send A Long Stamped Self-Addressed Envelope

I. F. Stone's Weekly, 5618 Nebraska Ave., N. W. Washington 15, D. C.

Please renew (or enter) my sub for the enclosed $5:*

Name .....

Street .....

City .....**Zone**.....**State**.....

Enter gift sub for $2 (6 mos.) or $4 (1 yr.) additional:
3/16/59

(To) Name .....

Street .....

City .....**Zone**.....**State**.....

Shall we send gift announcement? Yes ☐ No. ☐

I. F. Stone's Weekly
5618 Nebraska Ave., N. W.
Washington 15, D. C.

NEWSPAPER

Entered as Second Class Mail Matter Washington, D. C. Post Office

Stone on Way to Europe — Next Issue March 30 from Germany — No Issue March 23

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED